

## REMARKS

### Telephone Interview

Applicants would like to thank the Examiner for telephone interview on May 18, 2004. During a telephone conversation on May 18, 2004, Examiner Kapust suggested that a Supplemental Amendment and Response be filed to correct an error in the previously submitted response filed on April 7, 2004 to the office action dated January 21, 2004.

### The Present Amendments

The foregoing amendments to the claims are of formal nature, and do not add new matter.

The Examiner has stated in the office action, dated January 21, 2004, that the specification is "enabling for an isolated polypeptide having at least 80% amino acid sequence identity to the polypeptide of SEQ ID NO:140, which isolated polypeptide induces chondrocyte proliferation." (See Office Action, page 3). In response, Applicants incorrectly amended Claims 28-32, and 41 to recite polypeptides that are capable of inducing "chondrocyte redifferentiaion" and not "chondrocyte proliferation." Accordingly, Claims 28-32 and 41 have been now properly amended to recite polypeptides that are "capable of inducing chondrocyte proliferation." The amendments do not add new matter.

Upon entry of the present amendment, the present application is believed to be in *prima facie* condition for allowance, and an early action to that effect is respectfully solicited. Should the Examiner find that there are any further issues outstanding, she is respectfully invited to contact the undersigned attorney in order to arrange a personal interview.

The Commissioner is hereby authorized to charge any fees, including any fees for extension of time, or credit overpayment to Deposit Account No. 08-1641 (Attorney's Docket No. 39780-2830 P1C48). Please direct any calls in connection with this application to the undersigned at the number provided below.

Respectfully submitted,

Date: May 19, 2004

By: 

Anna L. Barry (Reg. No. 51,436)

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